Filing # 107745036 E-Filed 05/20/2020 01:51:51 PM

IN THE COUNTY COURT OF THE NINTH JUDICIAL CIRCUIT IN AND FOR ORANGE COUNTY FLORIDA

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| <<PROVIDER\_SUITNAME>>  a/a/o <<INJUREDPARTY\_NAME>> | Case No. <<CASE\_ID>> |
| Plaintiff,  vs.  <<INSURANCECOMPANY\_NAME>>  Defendant. |  |

# SUMMONS/NOTICE TO APPEAR FOR PRETRIAL CONFERENCE

YOU ARE COMMANDED to serve this Summons in this action on Defendant:

**<<INSURANCECOMPANY\_NAME>>,**

<<INSURANCECOMPANY\_PERM\_ADDRESS>>

<<INSURANCECOMPANY\_PERM\_CITY>>

<<INSURANCECOMPANY\_PERM\_STATE>>

<<INSURANCECOMPANY\_PERM\_ZIP>>

# STATE OF FLORIDA

**NOTICE TO PLAINTIFF(S) AND DEFENDANT(S)**

YOU ARE HEREBY NOTIFIED that you are required to appear in person or by attorney at:

IN THE COUNTY COURT OF THE NINTH JUDICIAL CIRCUIT IN AND FOR ORANGE COUNTY FLORIDA

on <<TODAY\_DATE>>, at (am/pm) in Courtroom , for a pretrial conference before a Judge of this Court. Section # .

# IMPORTANT - READ CAREFULLY

**THE CASE WILL NOT BE TRIED AT THAT TIME/DO NOT BRING WITNESSES APPEAR IN PERSON OR BY ATTORNEY**

The Defendant(s) must appear in Court on the date specified in order to avoid a default judgment. The Plaintiff(s) must appear to avoid having the case dismissed for lack of prosecution. A written MOTION or ANSWER to the Court by the Plaintiff(s) or the Defendant(s) shall not excuse the personal appearance of a party or its attorney in the PRETRIAL CONFERENCE. The date and

time of the Pretrial Conference CANNOT be rescheduled without good cause and prior Court approval.

The purpose of the Pretrial Conference is to record your appearance, to enable the Court to determine the nature of the case, and to set the case for trial if the case cannot be resolved at the Pretrial Conference. You or your attorney should be prepared to confer with the Court and to explain briefly the nature of your dispute, state what efforts have been made to settle the dispute, exhibit any documents necessary to prove your case, state the names and addresses of your witnesses, stipulate to the facts that will require no proof and will expedite the trial, and estimate how long it will take to try the case.

If you admit the claim but desire additional time to pay, you must come and state the circumstances to the Court. The Court may or may not approve a payment plan and withhold judgment or execution or levy.

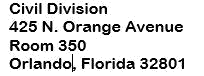
**MEDIATION:** Mediation may take place during the time scheduled for the pretrial conference. Mediation is a process whereby an impartial and neutral third person called a mediator acts to encourage and facilitate the resolution of a dispute between two or more parties, without prescribing what the resolution should be. It is an informal and no adversarial process with the objective of helping the disputing parties reaches a mutually acceptable and voluntary agreement in mediation. Decision making rests with the parties. Negotiations in county court mediation are primarily conducted by the parties. Counsel for each party may participate. However, presence of counsel is not required if a full agreement is not reached at mediation, the remaining issues of the case will be set for trial. Mediation communications are confidential and privileged except where disclosures are required or permitted by law, if you admit the claim, but desire additional time to pay, you must come and state the circumstances, the court may or may not approve a payment plan and may withhold judgment or execution or levy.>>

**RIGHT TO VENUE:** THE LAW GIVES THE PERSON OR COMPANY WHO HAS SUED YOU THE RIGHT TO FILE SUIT IN ANY ONE OF SEVERAL PLACES AS LISTED BELOW. HOWEVER, IF YOU HAVE BEEN SUED IN ANY PLACE OTHER THAN ONE OF THESE PLACES, YOU, AS THE DEFENDANT, HAVE THE RIGHT TO REQUEST THAT THE CASE BE MOVED TO A PROPER LOCATION OR VENUE. A PROPER LOCATION OR VENUE MAY BE ONE OF THE FOLLOWING:

* 1. WHERE THE CONTRACT WAS ENTERED INTO;
  2. IF SUIT ON UNSECURED PROMISSORY NOTE, WHERE THE NOTE IS SIGNED OR WHERE THE MAKER RESIDES;
  3. IF THE SUIT IS TO RECOVER PROPERTY TO FORECLOSE A LIEN, WHERE THE PROPERTY IS LOCATED;
  4. WHERE THE EVENT GIVING RISE TO THE SUIT OCCURRED;
  5. WHERE ANY ONE OR MORE OF THE DEFENDANTS SUED RESIDE;
  6. ANY LOCATION AGREED TO IN A CONTRACT;
  7. IN ANY ACTION FOR MONEY DUE, IF THERE IS NO AGREEMENT AS TO WHERE SUIT MAY BE FILED, WHERE PAYMENT IS TO BE MADE.

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Description automatically generatedIF YOU, AS THE DEFENDANT(S) BELIEVE THE PLAINTIFF(S) HAS/HAVE NOT SUED IN ONE OF THESE CORRECT PLACES, YOU MUST APPEAR ON YOUR COURT DATE AND ORALLY REQUEST A TRANSFER OR YOU MUST FILE A WRITTEN REQUEST FOR TRANSFER, IN AFFIDAVIT FORM (SWORN TO UNDER OATH) WITH THE COURT 7 DAYS PRIOR TO YOUR FIRST COURT DATE AND SEND A COPY TO THE PLAINTIFF(S) ATTORNEY, IF ANY. A COPY OF THE STATEMENT OF CLAIM SHALL BE SERVED WITH THIS SUMMONS.



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| **CLERK OF COURTS** | Krystal Viera, Deputy Cl | erk DATE |
| BY:\_ <<TODAY\_DATE>>  DEPUTY CLERK | | |
| COPY Mailed  TO Plaintiff Sheriff | Hand-Delivered Attorney Process Server | **COURT SEAL** |

# Filed by:

**<<INSURANCECOMPANY\_NAME>>,**

<<INSURANCECOMPANY\_PERM\_ADDRESS>>

<<INSURANCECOMPANY\_PERM\_CITY>>

<<INSURANCECOMPANY\_PERM\_STATE>>

<<INSURANCECOMPANY\_PERM\_ZIP>>

By: */s/ Robert Gonzalez* Robert Gonzalez, Esq. FBN: 68865

[pleadings@flinslaw.com](mailto:pleadings@flinslaw.com)